UNITED
NATIONS

A S

General Assembly Security Council

Distr.
GENERAL

A/45/1007
S/22563
2 May 1991
ENGLISH
ORIGINAL: SPANISH

GENERAL ASSEMBLY
Forty-fifth session
Agenda item 28
THE SITUATION IN CENTRAL AMERICA:
THREATS TO INTERNATIONAL PEACE
AND SECURITY AND PEACE INITIATIVES

SECURITY COUNCIL
Forty-sixth year

Letter dated 2 May 1991 from the Permanent Representative of Guatemala to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit herewith the text of the "Agreement on the procedure for the search for peace by political means", signed at Mexico City on 26 April 1991 following talks held by the delegations of the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG) in the presence of Guatemala's National Reconciliation Commission and the Observer appointed by you.

The aforesaid Agreement was signed as a result of the Government's commitment to put an end to the internal armed conflict and bring about reconciliation among all Guatemalans.

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda item 28, and of the Security Council.

(Signed) Francisco VILLAGRAN DE LEON
Ambassador
Permanent Representative

Annex

Agreement on the procedure for the search for peace by political means, signed at Mexico City on 26 April 1991

In order to achieve the objectives set out in the Esquipulas II Agreement of 7 August 1987 and to put an end to the internal armed conflict and bring about reconciliation among all Guatemalans, in accordance with the Oslo Agreement of 30 March 1990, the delegations of the Government of Guatemala and of the Unidad Revolucionaria Nacional Guatemalteca (URNG) hereby agree to hold talks in the presence of the Chairman of Guatemala's National Reconciliation Commission, Monsignor Rodolfo Quezada Toruño, acting as Conciliator pursuant to the Oslo Agreement, and of the representative of the Secretary-General of the United Nations, Mr. Francesc Vendrell, acting as Observer.

1. The Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG) undertake to conduct a process of negotiation that will permit, in the shortest possible time, the signing of an agreement for a firm and lasting peace which sets out political agreements, how they are to be implemented and executed by the parties, and how their fulfilment is to be verified by the National Reconciliation Commission, the United Nations and such other international bodies as the parties may designate by mutual agreement.

2. The participants in the negotiations shall be the Conciliator, Monsignor Rodolfo Quezada Toruño; the representative of the Secretary-General of the United Nations, Mr. Francesc Vendrell, acting as Observer; the advisers to the Conciliator and the Observer; and the delegations of the Government of the Republic of Guatemala and of URNG. Members of the National Reconciliation Commission shall also participate in meetings for the purpose of noting and verifying the fulfilment of agreements.

The Government of Guatemala and URNG may be assisted by advisers, who must be Guatemalan and shall first present their credentials to the Conciliator.

3. In order to accelerate the process and ensure its success, the Government and URNG agree to hold negotiations through direct meetings between the parties, with the active participation of the Conciliator and in the presence of the Observer. Indirect meetings may also be held between the parties, through the Conciliator and in the presence of the Observer, with their respective advisers, if they deem it appropriate.

4. The Government and URNG undertake to be duly represented in the negotiations by high-level delegates, in order to negotiate and conclude political agreements in accordance with the existing constitutional framework and with the El Escorial agreements.

5. The Conciliator, in his capacity as Chairman of the National Reconciliation Commission, may if he thinks fit call together the various sectors that participated in the meetings with URNG held during 1990 under the Oslo Agreement, so as to inform them of the progress of the negotiations in the search for a firm and lasting peace and a solution to the nation's problems.

6. The Government of the Republic of Guatemala and URNG agree not to abandon the negotiating process unilaterally and to pursue it without interruption, in accordance with these procedural rules, until the negotiating agenda is exhausted. They undertake to act in good faith in an atmosphere of complete mutual respect and reiterate their express determination to reach political agreements for achieving a firm and lasting peace that will bring the internal armed conflict in Guatemala to an early, definitive end.

7. Meetings shall be announced publicly and discussions shall be conducted privately, without publicity. The media shall have access to the meetings during such periods as the delegations shall determine by mutual consent. Neither the parties nor the participants shall unilaterally give out any information on the phase of the negotiations, unless it is agreed otherwise. If the parties reach any significant agreements, the Conciliator shall read out the official communiqués drafted for the information of the public. The Observer for his part, shall keep the Secretary-General of the United Nations informed of the progress of the negotiations.

8. The Conciliator, Monsignor Rodolfo Quezada Toruño, in his capacity as Chairman of the National Reconciliation Commission, shall conduct meetings in accordance with the usual standards of debate. No recordings shall be made of the meetings, nor shall minutes be taken. Any agreements reached shall be formalized in documents discussed and approved by the parties and shall be signed by the Conciliator, the Observer, the delegates of the parties, and the members of the National Reconciliation Commission.

9. Under the Oslo Agreement, it is the function of the Conciliator to propose initiatives to the parties and to facilitate and sustain dialogue and negotiation, imparting momentum to that process and summarizing points of agreement and disagreement between the parties. To that end, he has the power to propose initiatives and solutions for discussion and agreement and may do whatever else is necessary to the proper fulfilment of his mission. In addition to any other powers conferred on him in other sections of this document, the Conciliator shall: (a) convene the agreed meetings; (b) act as depositary for any documents that may result from the negotiation and provide certified copies thereof to the parties; (c) designate his advisers; and (d) order adjournments of the meetings.

FOR THE GOVERNMENT OF THE REPUBLIC OF GUATEMALA:

(Signed) Manuel E. CONDE ORELLANA
General Secretary of the Presidency of the Republic

(Signed) Manolo BENDFELDT ALEJOS
Minister for Development

(Signed) Brigadier General Edgar Augusto GODOY GAITAN
Deputy Chief of Staff of National Defence

(Signed) Brigadier General José D. GARCIA SAMAYOA
Commander of the Guard of Honour Military Brigade

(Signed) Brigadier General Mario René ENRIQUEZ M.
Commander of Military Zone 22, Playa Grande, Quiche

(Signed) Julio A. BALCONI TURCIOS
Commander of the Mariscal Zavala Military Brigade

(Signed) Colonel Marco A. GONZALEZ T.
Commander of the Mobile Military Police

(Signed) Ernesto VITERI ECHEVERRIA
Special Adviser to the Presidency of the Republic

(Signed) Rubén Amilcar BURGOS SOLIS
Special Adviser to the Presidency of the Republic

(Signed) José Luis ASENSIO AGUIRRE
Adviser to the President of the Republic

FOR THE UNIDAD REVOLUCIONARIA NACIONAL GUATEMALTECA (URNG):

General Command

(Signed) Commander Gaspar ILOM

(Signed) Commander Pablo MONSANTO

(Signed) Commander Rolando MORAN

(Signed) Carlos GONZALEZ
Secretary of the Central Committee of the Partido Guatemalteco de Trabajadores (PGT)

Political and Diplomatic Commission

(Signed) Francisco VILLAGRAN MUÑOZ

(Signed) Luis Becker GUZMAN

(Signed) Miguel Angel SANDOVAL

(Signed) Luz MENDEZ

FOR THE NATIONAL RECONCILIATION COMMISSION:

(Signed) Teresa BOLAÑOS DE ZARCO

(Signed) Mario PERMUTH LISTWA

(Signed) Oliverio GARCIA RODAS

(Signed) Luis MORALES CHUA
Adviser

(Signed) Monsignor Rodolfo QUEZADA TORUÑO
Conciliator
Chairman of the National Reconciliation Commission

FOR THE UNITED NATIONS:

(Signed) Francesc VENDRELL
Representative of the Secretary-General of the
United Nations